

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN**

**Request for Modifying the Conditions or Term of Supervision**

Name of Offender: Kaloup Powers

Case Number: 1:09CR00211-07

Name of Sentencing Judicial Officer: The Honorable Robert J. Jonker  
U.S. District Judge

Date of Original Sentence: June 14, 2010

Original Offense: Count 1: Conspiracy to Possess with Intent to Distribute 5 Kilograms of Cocaine and 50 Grams of Cocaine Base; 21 U.S.C. §§ 846 and 841(a)(1), (b)(1)(A)(ii), and (iii)

Original Sentence: 156 months imprisonment and 5 years supervised release. Special Conditions: (1) financial disclosure, (2) substance abuse testing/treatment, (3) mental health treatment, and (4) shall earn high school diploma or GED. Special Assessment, \$100.00 (paid).

Type of Supervision: Supervised Release

Date Supervision Commenced: February 17, 2021

Expiration Date: February 16, 2026

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**PETITIONING THE COURT**

To modify the conditions of supervised release by removing Special Condition 3:

3. The defendant shall participate in a program of testing and treatment for mental health, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer, and shall pay at least a portion of the cost according to his ability, as determined by the probation officer.

**CAUSE**

On August 17, 2020, Mr. Powers arrived at the Kalamazoo Probation Enhancement Program (KPEP)-Benton Harbor, as a Bureau of Prisons inmate to serve the remainder of his prison sentence. He was immediately placed on direct home confinement at 321 N. 8<sup>th</sup> Street, Niles, Michigan.

As noted above, on February 17, 2021, Mr. Powers started his term of supervised release. Mr. Powers has made a positive adjustment since his release from imprisonment. He takes responsibility for his offense and appears motivated to maintain a prosocial lifestyle that is heavily focused on his family. Based on this officer's observation and Mr. Powers' statements he has not exhibited any mental health concerns.

He has maintained compliance with all conditions of release and is gainfully employed at Thor Motor Coach, Elkhart, Indiana. Mr. Powers currently resides with his wife and children at 511 Lake Street, Niles, Michigan. He obtained his GED while serving his custodial sentence at FCI Terre Haute.

**Previous Violations**

- None

**U.S. Probation Officer Action:**

At this time, it is respectfully recommended the mental health condition be removed. Mr. Powers has no history of mental health issues and appears capable of continuing his positive adjustment without the need for services or evaluation.

Mr. Powers agreed to the modification. A Probation Form 49, Waiver of Hearing to Modify Conditions of Probation/Supervised Release, was not executed as the modification is less restrictive.

Approved,

Respectfully submitted,

by /s/Natcole S. West  
Natcole S. West  
Supervisory U.S. Probation Officer  
Date: November 15, 2022

by /s/Dominic M. Bumadianne  
Dominic M. Bumadianne  
U.S. Probation Officer  
Date: November 15, 2022

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**THE COURT ORDERS:**

- ☐ No Action  
☐ The Modification of Conditions as Noted Above  
☒ **Other:**

**The Court will consider this after Probation confers with the U.S. Attorney's office and reports the position of that office. In the Court's view, this is required under Fed R. Crim. P. 32.1(c) (2)(C) to make this change without a hearing.**

/s/ Robert J. Jonker  
The Honorable Robert J. Jonker  
U.S. District Judge

November 17, 2022  
Date